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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Reniery **Valladares-Gómez** (Honduras)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2007, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-second session the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. At its 1st meeting, on 4 October 2007, the Fourth Committee decided to hold a general debate covering agenda items 36 to 40. The general debate on those items was held at the 2nd, 5th and 6th meetings, on 8, 11 and 15 October (see A/C.4/62/SR.2, 5, 6). The Committee also considered item 40 at its 9th meeting, on 22 October (see A/C.4/62/SR.9). The Committee took action on item 40 at its 6th and 9th meetings, on 15 and 22 October (see A/C.4/62/SR.6 and 9).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;[1]

(b) Report of the Secretary-General on the question of Western Sahara (A/62/128).

[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23), chaps. III, VIII-X and XII.

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4. At the 2nd meeting, on 8 October, the representative of the Syrian Arab Republic, in his capacity as the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, introduced the report of the Special Committee. At the same meeting, the representative of Saint Vincent and the Grenadines, in her capacity as Chairperson of the Special Committee, made a statement in which she gave an account of the relevant activities of the Special Committee during 2007 (see A/C.4/62/SR.2).

5. At the same meeting, the Fourth Committee granted requests for hearings to the following petitioners in connection with its consideration of the item:

J. J. Bossano (A/C.4/62/2)

Vanessa Ramos, American Association of Jurists (A/C.4/62/3)

Agaila Abba Hemeida (A/C.4/62/3/Add.1)

Hilt Teuwen, Oxfam Solidarity (A/C.4/62/3/Add.2)

Janet Lenz, Christ the Rock Community Church (A/C.4/62/3/Add.3)

Aymeric Chauprade (A/C.4/62/3/Add.4)

Ahmed Boukhari, Frente Polisario (A/C.4/62/3/Add.5)

Suzanne Scholte, Defense Forum Foundation (A/C.4/62/3/Add.6)

Jean-Paul Lecoq (A/C.4/62/3/Add.7)

Willy Meyer Pleite (A/C.4/62/3/Add.8)

Dan R. Stanley, RockFish Church (A/C.4/62/3/Add.9)

Tanya Warburg, Freedom for All (A/C.4/62/3/Add.10)

Sydney S. Assor, Surrey Three Faiths Forum (A/C.4/62/3/Add.11)

Jan Strömdahl, Swedish Western Sahara Committee (A/C.4/62/3/Add.12)

Jane Bahaijoub, Family Protection (A/C.4/62/3/Add.13)

Javier Morillas Gómez (A/C.4/62/3/Add.14)

Lord Newall, International Committee for the Tindouf Prisoners (A/C.4/62/3/Add.15)

Felipe Briones Vives, Asociación Internacional de Juristas por el Sáhara Occidental (A/C.4/62/3/Add.16)

Txomin Aurrekoetxea, Instituciones Solidarias con el Pueblo Saharaui a nivel del Estado Español (A/C.4/62/3/Add.17)

Begoña Errazti, Eusko Alkartasuna (A/C.4/62/3/Add.18)

Isidoro Moreno Navarro (A/C.4/62/3/Add.19)

Fernando Peraita, Seville Association of Friendship with the Saharan People (A/C.4/62/3/Add.20)

Alain Dauger (A/C.4/62/3/Add.21)

Mostafa Bouh, Frente Polisario (A/C.4/62/3/Add.22)

Senia Bachir-Abderahman, Saharawi Youth Union (A/C.4/62/3/Add.23)

Vincent Chapaux (A/C.4/62/3/Add.24)

Jacinta De Roeck, Peace for the Sahrawi People (A/C.4/62/3/Add.25)

Kaltoum Khayati, Association de défense de la femme sahraouie (A/C.4/62/3/Add.26)

Alessandro Fucito (A/C.4/62/3/Add.27)

Nancy Huff, Teach the Children International (A/C.4/62/3/Add.28)

Lindsey M. Plumley (A/C.4/62/3/Add.29)

Ramón Rocha Maqueda, Asociación de Amistad del Pueblo Saharaui de Extremadura (A/C.4/62/3/Add.30)

Anna Maria Stame Cervone, Christian Democratic Women International (A/C.4/62/3/Add.31)

Gilonne d'Origny (A/C.4/62/3/Add.32)

Bernabé López García (A/C.4/62/3/Add.33)

Francisco José Alonso Rodríguez, Liga Española pro-Derechos Humanos (A/C.4/62/3/Add.34)

Cynthia Basinet (A/C.4/62/3/Add.35)

Paolo Bartolozzi (A/C.4/62/3/Add.36)

Latifa Aït-Baala, Action internationale femmes (A/C.4/62/3/Add.37)

Nicola Quatrano, Osservatorio Internazionale (A/C.4/62/3/Add.38)

Lorenzo Olarte Cullen (A/C.4/62/3/Add.39)

Marco Carloni (A/C.4/62/3/Add.40)

Khaddad El Moussaoui, Royal Advisory Council for Saharan Affairs (A/C.4/62/3/Add.41)

Gajmoula Ebbi, Gathering Sahrawi Families (A/C.4/62/Add.42)

Fabio Marcelli (A/C.4/62/3/Add.43)

Ramdan Mesaud Larbi (A/C.4/62 Add.44)

José Manuel Romero González (A/C.4/62/3/Add.45)

Denis Ducarme (A/C.4/62/3/Add.46)

Cinzia Terzi, Associazione Jaima Sahrawi (A/C.4/62/3/Add.47)

Pedro Pinto Leite, International Platform of Jurists for East Timor (A/C.4/62/3/Add.48)

Fabián Martín Martín, Organización del Partido de Independientes de Lanzarote (A/C.4/62/3/Add.49)

Carmen Motta, Associazione Jaima Sahrawi (A/C.4/62/3/Add.50)

Ana María Miranda, Galician Nationalist Bloc (A/C.4/62/3/Add.51)

Miguel Ángel Puyol García, Pilotos 4x4 sin Fronteras (A/C.4/62/3/Add.52)

Norman Paech (A/C.4/62/3/Add.53)

Rima Miles, Guahan Indigenous Collective (A/C.4/62/4)

Marie Auyong (on behalf of Victoria-Lola M. Leon Guerrero), Guahan Peace and Justice Coalition (A/C.4/62/4/Add.1)

Michael Lujan Bevacqua, Famoksaiyan (A/C.4/62/4/Add.2)

Roch Wamytan, Front de libération kanak socialiste (A/C.4/62/5)

6. At its 3rd meeting, on 9 October, on the basis of a decision taken at the 2nd meeting, the Committee heard the following petitioners: Michael Lujan Bevacqua, Rima Miles, and Marie Auyong (see A/C.4/62/SR.3).

7. At the same meeting, the Committee heard the following petitioners: Willy Meyer Pleite, Cynthia Basinet, Vanessa Ramos, Senia Bachir-Abderahman, Janet Lenz, Ahmed Boukhari, Fabio Marcelli, Ramón Rocha Maqueda, Txomin Aurrekoetxea, Francisco José Alonso Rodríguez, Isidoro Moreno Navarro, Fernando Peraita, Nicola Quatrano, Dan R. Stanley, Hilt Teuwen, Suzanne Scholte, Pedro Pinto Leite, Aymeric Chauprade, and Paolo Bartolozzi (see A/C.4/62/SR.3).

8. At its 4th meeting, on 10 October, the Committee heard the following petitioners: Jean-Paul Lecoq, Lord Newall, Carmen Motta, Alain Dauger, Norman Paech, Cinzia Terzi, Sydney S. Assor, Jacinta De Roeck, Marco Carloni, Latifa Aït-Baala, Tanya Warburg, Vincent Chapaux, Jane Bahaijoub, Denis Ducarme, Lorenzo Olarte Cullen, Khaddad El Moussaoui, Alessandro Fucito, Agaila Abba Hemeida, Anna Maria Stame Cervone, Begoña Errazti, Gilonne d'Origny, Barnabé López García and Ana María Miranda (see A/C.4/62/SR.4).

9. At its 5th meeting, on 11 October, the Committee heard the following petitioners: Fabián Martín Martín, José Manuel Romero González, Miguel Ángel Puyol García, Jan Strömdahl, Mostafa Bouh, Gajmoula Ebbi, Kaltoum Khayati, Javier Morillas Gómez, and Lindsey M. Plumley (see A/C.4/62/SR.5).

10. At its 6th meeting, on 15 October, the Committee heard statements by the Chief Minister of Gibraltar, Peter Caruana, and a petitioner, J. J. Bossano (see A/C.4/62/SR.6).

II. Consideration of proposals

A. Question of Western Sahara

11. At its 6th meeting, on 15 October, the Committee had before it a draft resolution entitled "Question of Western Sahara" (A/C.4/62/L.3), submitted by the Chairman.

12. At the same meeting, the Committee adopted draft resolution A/C.4/62/L.3 without a vote (see para. 24, draft resolution I).

13. Also at the same meeting a statement in explanation of position was made by the representative of Portugal (on behalf of the States Members of the United Nations that are members of the European Union and Albania, Armenia, Croatia,

Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine) (see A/C.4/62/SR.6).

B. Question of New Caledonia

14. At its 6th meeting, on 15 October, the Committee adopted draft resolution IV, entitled "Question of New Caledonia", contained in chapter XII of the report of the Special Committee,[1] without a vote (see para. 24, draft resolution II).

C. Question of Tokelau

15. At its 3rd meeting, on 9 October, the Committee decided to postpone to a later date[2] action on draft resolution V, entitled "Question of Tokelau", contained in chapter XII of the report of the Special Committee[1] (see A/C.4/62/SR.3).

D. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

16. At its 6th meeting, on 15 October, the Committee adopted draft resolution VI, entitled "Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands", contained in chapter IX of the report of the Special Committee,[1] without a vote (see para. 24, draft resolution III).

17. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland (see A/C.4/62/SR.6).

E. Dissemination of information on decolonization

18. At its 6th meeting, on 15 October, the Committee adopted draft resolution VII, entitled "Dissemination of information on decolonization", contained in chapter XII of the report of the Special Committee,[1] by a recorded vote of 145 to 3, with 1 abstention (see para. 24, draft resolution IV). The voting was as follows:[3]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus,

[2] The report of the Committee on this question will be issued in an addendum to the present report.

[3] Subsequently, the delegations of Kyrgyzstan and Pakistan indicated that they had intended to vote in favour.

Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Finland, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

France.

19. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland (see A/C.4/62/SR.6).

F. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

20. At its 6th meeting, on 15 October, the Committee adopted draft resolution VIII, entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", contained in chapter XII of the report of the Special Committee,[1] by a recorded vote of 145 to 3, with 2 abstentions (see para. 24, draft resolution V). The voting was as follows:[4]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Finland, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea,

[4] Subsequently, the delegations of Kyrgyzstan and Pakistan indicated that they had intended to vote in favour.

Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Belgium, France.

21. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland (see A/C.4/62/SR.6).

G. Question of Gibraltar

22. At its 9th meeting, on 22 October, the Committee had before it a draft decision entitled "Question of Gibraltar" (A/C.4/62/L.4), submitted by the Chairman.

23. At the same meeting, the Committee adopted draft decision A/C.4/62/L.4 without a vote (see para. 25).

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

24. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the people concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and other resolutions of the General Assembly,

Recalling its resolution 60/114 of 8 December 2005,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 1359 (2001) of 29 June 2001, 1429 (2002) of 30 July 2002, 1495 (2003) of 31 July 2003, 1541 (2004) of 29 April 2004, 1570 (2004) of 28 October 2004, 1598 (2005) of 28 April 2005, 1634 (2005) of 28 October 2005, 1675 (2006) of 28 April 2006 and 1720 (2006) of 31 October 2006,

Welcoming the adoption of Security Council resolution 1754 (2007) on 30 April 2007,

Expressing its satisfaction that the parties have met on 18 and 19 June and on 10 and 11 August 2007 under the auspices of the Personal Envoy of the Secretary-General and in the presence of the neighbouring countries and that they have agreed to continue the negotiations,

Calling upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy and with each other,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Welcoming in this regard the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution to the dispute, which will provide for the self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Having also examined the report of the Secretary-General,[2]

1. *Takes note* of the report of the Secretary-General;[2]

2. *Supports strongly* Security Council resolution 1754 (2007), by which the Council called upon the parties to enter into negotiations without preconditions in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara;

3. *Welcomes* the ongoing negotiations between the parties held on 18 and 19 June and on 10 and 11 August 2007 in the presence of the neighbouring countries under the auspices of the United Nations;

4. *Commends* the efforts undertaken by the Secretary-General and his Personal Envoy for the implementation of Security Council resolution 1754 (2007) and encourages the parties to continue to show political will and a spirit of cooperation in supporting those efforts and to create a propitious atmosphere for dialogue and the success of the negotiations;

5. *Calls upon* the parties to cooperate with the International Committee of the Red Cross and calls upon them to abide by their obligations under international humanitarian law;

6. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-third session;

7. *Invites* the Secretary-General to submit to the General Assembly at its sixty-third session a report on the implementation of the present resolution.

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[1] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23), chap. VIII.

[2] A/62/128.

Draft resolution II
Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[2]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and welcomes, in this context, the approval of the territorial Congress in January 2007 to establish the first Kanak Academy, which aims to preserve indigenous languages and dialects;

4. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

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[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23), chap. VIII.

[2] A/AC.109/2114, annex.

5. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

6. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

7. *Notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

8. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

9. *Welcomes* the strengthening of ties between New Caledonia and the European Union, and notes the European Development Fund assistance in infrastructural, cultural and human resource developments, including vocational training programmes;

10. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

11. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

12. *Notes* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

13. *Welcomes* the measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

14. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

15. *Notes* the increase by the Government of France in financial assistance to the Territory, amounting to 910 million euros in 2005 for health, education, payment of public-service salaries and funding development schemes;

16. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

17. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

18. *Welcomes* the establishment of a new form of cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003 and June 2006;

19. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

20. *Welcomes*, in this regard, the accession by New Caledonia in October 2006, at the 37th Summit of the Pacific Islands Forum, in Fiji, to the status of associate member of the Pacific Islands Forum, giving the Territory the right to participate in Forum discussions;

21. *Also welcomes* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

22. *Further welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

23. *Recalls* the endorsement of the report of the Forum Ministerial Committee on New Caledonia by leaders of the Pacific Islands Forum at its 36th Summit, in October 2005 in Papua New Guinea, and the continuing role of the Forum Ministerial Committee in monitoring developments in the Territory and encouraging closer regional engagements;

24. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

25. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-third session.

Draft resolution III
Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A
General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-first session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing concern that more than forty-six years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[3]

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

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[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23), chap. IX.

[2] Resolution 1514 (XV).

[3] A/56/61, annex.

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland, and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

Noting also the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and in its regional seminars,

Noting further the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

Aware of the importance of the international financial services for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that the 2006 Pacific regional seminar was held on Yanuca Island, Fiji, from 28 to 30 November, and that the 2007 Caribbean regional seminar was held in Saint George's, Grenada, from 22 to 24 May,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the applicability to the Territories of the programmes of action of all United Nations world conferences[4] and special sessions of the General Assembly in the economic and social sphere,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[5] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

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[4] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum); *Report of the World Conference on Natural Disaster Reduction, Yokohama, Japan, 23-27 May 1994* (A/CONF.172/9), chap. I; *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I; *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex; *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II; *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex; and *Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Durban, 31 August-8 September 2001* (A/CONF.189/12 and Corr.1), chap. I.

[5] See resolution 2200 A (XXI), annex.

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual background working papers prepared by the Secretariat on developments in each of the small Territories,[6] as well as the substantive documentation and information furnished by experts, scholars, non governmental organizations and other sources, have provided important inputs in updating the present resolution,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Requests* the administering Powers to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories;

8. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

[6] A/AC.109/2007/2-8, 10 and 14-16.

9. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[3] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

10. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration, and in order to advise the Special Committee on the implementation of provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the constitutional reviews in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements;

13. *Requests* that the Secretary-General continue to report to the General Assembly on a regular basis on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights,[5] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. *Requests* the Special Committee to collaborate with the Permanent Forum on Indigenous Issues and the Committee on the Elimination of Racial Discrimination, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-third session and on the implementation of the present resolution.

B
Individual Territories

The General Assembly,

Referring to resolution A above,

I. American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa[7] and other relevant information,

Noting the position of the administering Power and the statements made by representatives of American Samoa in the regional seminars expressing satisfaction with the Territory's present relationship with the United States of America,

Noting also that the Department of the Interior of the United States of America provides that the Secretary of the Interior has administrative jurisdiction over American Samoa,[8]

Noting further that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government, and calling upon the administering Power to continue to assist the territorial Government in the diversification of its economy,

Noting that the Territory's non-voting delegate to the Congress of the United States of America has formally requested that the administering Power declare its official position on the status of American Samoa before the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting also the statement of the representative of the Governor of the Territory at the Pacific regional seminar, held on Yanuca Island, Fiji, from 28 to 30 November 2006, requesting the Special Committee to review the Territory's status as a Non-Self-Governing Territory,

1. *Welcomes* the establishment of the Future Political Status Study Commission, which began its work in June 2006 and prepared its report in January 2007, to study alternative forms of future political status open to American Samoa and to assess the advantages and disadvantages of each;

2. *Stresses* the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory in facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public education programme;

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[7] A/AC.109/2007/15.

[8] Pursuant to Secretary's Order 2657, Department of the Interior, United States of America.

II. Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla[9] and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, the first time that the seminar had been held in a Non-Self-Governing Territory,

Taking note of the constitutional review process resumed by the territorial Government in 2006, the work of the newly established Constitutional and Electoral Reform Commission, which prepared its report in August 2006, and the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power,

Aware that the Government intends to continue its commitment to high-end tourism and the implementation of various regulations in the financial services sector,

Noting the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

1. *Welcomes* the establishment of a new Constitutional and Electoral Reform Commission, the issuance of its report in 2006 and the holding of public and other consultative meetings early in 2007, with the aim of making recommendations to the administering Power on proposed changes to the Constitution in place in the Territory;

2. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory in facilitating its work concerning public consultative outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public consultative outreach efforts;

III. Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda[10] and other relevant information,

Conscious of the different viewpoints of the political parties on the future status of the Territory,

Recalling the dispatch of the United Nations special mission to Bermuda in 2005 at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV)

[9] A/AC.109/2007/8.
[10] A/AC.109/2007/10.

and on the experiences of other small States that have achieved a full measure of self-government,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough and meticulous examination of the facts surrounding independence, and regrets that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Decides* to follow closely the developments concerning the future political status of Bermuda under way in the Territory, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public education programme;

IV. British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands[11] and other relevant information,

Recalling the 1993 report of the Constitutional Commissioners, and the 1996 debate on the report in the Legislative Council of the Territory, the establishment of the Constitutional Review Commission in 2004 and the completion in 2005 of its report providing recommendations on constitutional modernization, and noting the debate on the report held in the Legislative Council in 2005,

Noting the statement made at the Pacific regional seminar, held on Yanuca Island, Fiji, from 28 to 30 November 2006, by the representative of the territorial Government, who presented an analysis of the internal constitutional review process and urged the Special Committee to rethink and broaden the concept of self-determination for certain Territories, on a case-by-case basis,

Noting also that the Territory continues to emerge as one of the world's leading offshore financial centres, with unprecedented growth in its financial and tourism services sectors,

1. *Welcomes* the negotiations on constitutional advancement and balance of authority between the administering Power and the territorial Government during 2006-2007 resulting in the draft constitution that was unanimously passed by the Legislative Council of the Territory in May 2007;

2. *Also welcomes* the efforts made by the territorial Government to focus the economic base of the Territory more on local ownership and on professional service industries other than financial services;

3. *Further welcomes* the ongoing work of the Inter-Virgin Islands Council between the elected Governments of the British Virgin Islands and the United States Virgin Islands as a mechanism for functional cooperation between the two neighbouring Territories;

[11] A/AC.109/2007/3.

V. Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands[12] and other relevant information,

Taking note also of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering Power and the subsequent discussions between the Territory and the administering Power in 2003,

Noting with interest the reopened discussions between the administering Power and the territorial Government in 2006 on constitutional modernization with the aim of ascertaining the views of the people by way of referendum,

Noting that the Caribbean regional seminar, held in Saint George's, Grenada, from 22 to 24 May 2007, discussed the establishment of the Cayman Islands Constitutional Review Secretariat, which had begun its work in March 2007 to raise public awareness and disseminate information about the Territory's constitutional review process,

Acknowledging the indication by the territorial Government that certain cost-of-living issues, such as inflation, are a cause for concern,

1. *Requests* the administering Power to assist the Territory in facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public awareness outreach efforts;

2. *Welcomes* the announcement made by the territorial Government that it intends to address various cost-of-living issues in a systematic manner;

VI. Guam

Taking note of the working paper prepared by the Secretariat on Guam[13] and other relevant information,

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act are no longer continuing and

[12] A/AC.109/2007/2.
[13] A/AC.109/2007/16.

that Guam has established a process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of concerns expressed by many residents regarding the potential social and other impacts of the impending transfer of additional military personnel of the administering Power to the Territory,

Aware also of the Government-wide austerity measures undertaken since February 2007, when the Governor declared a financial "state of emergency",

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the plebiscite of 1987 and as provided for in Guam law, encourages the administering Power and the territorial Government of Guam to enter into negotiations on the matter, and requests the administering Power to inform the Secretary-General of progress to that end;

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all necessary measures to respond to the concerns of the territorial Government with regard to the question of immigration;

4. *Further requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises, noting the special role of the Chamorro people in the development of Guam;

5. *Recalls* the request by the elected Governor to the administering Power to lift restrictions to allow for foreign airlines to transport passengers between Guam and the United States of America to provide for a more competitive market and increased visitor arrivals;

6. *Requests* the administering Power to assist the Territory in facilitating public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in support of such efforts;

VII. Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat[14] and other relevant information,

Recalling the 2002 report of the Constitutional Review Commission, which contains a series of recommendations on constitutional advancement, including the devolution of power from the appointed Governor to the elected Government, and the call in favour of a free-association arrangement,

Recalling also the convening of a committee of the House of Assembly in 2005 to review the report, and the subsequent discussions between the elected Government and the administering Power on constitutional advancement and devolution of power,

Noting that the development needs prevailing in Montserrat were discussed by the Caribbean regional seminar, held in Saint George's, Grenada, from 22 to 24 May 2007,

Noting also the statements made by participants of the Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

Noting with concern the continued consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

Acknowledging the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. *Welcomes* the intention of the territorial Government to negotiate improvements to the present Constitution so as to preserve its ability to move towards greater self-determination at a later stage, and to publish and discuss publicly the Constitution when a final draft, which was expected in the first quarter of 2007, is ready;

2. *Requests* the administering Power to assist the Territory in facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public outreach efforts;

3. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

[14] A/AC.109/2007/4.

VIII. Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn[15] and other relevant information,

Taking into account the unique nature of Pitcairn in terms of population and area,

Noting the position of the representative of the elected Government, as expressed at the 2004 Pacific regional seminar, that the people of the Territory did not fully understand all the possibilities or the significance of the various self-determination options that might be available to them, and that the review of the Constitution was deferred,

1. *Requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the representatives of Pitcairn on how best to support their economic security;

2. *Notes* the position of the representative of the elected Government of the Territory favouring discussions on self-determination in advance of a constitutional review, and considers that a United Nations visiting mission to the Territory would heighten the awareness of the people of their political future;

IX. Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena[16] and other relevant information,

Taking into account the unique character of Saint Helena, its population and its natural resources,

Noting the constitutional review process led by the territorial Government and the consultative poll with regard to a new constitution, held in Saint Helena in May 2005,

Aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of Saint Helena, in particular in the sphere of food production, continuing high unemployment and limited transport and communications,

Noting the importance of improving the infrastructure and accessibility of Saint Helena,

Noting also the importance of the right to nationality for Saint Helenians and their request that it, in principle, be included in the new Constitution,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Welcomes* the continuing constitutional review process and the consultative poll led by the Government of Saint Helena in cooperation with the administering Power;

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[15] A/AC.109/2007/6.

[16] A/AC.109/2007/14.

2. *Also welcomes* the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena to become operational in 2011-2012, including all required infrastructure;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges, including the high unemployment and the problems of limited transport and communications, as well as to support the additional infrastructure required for the airport project;

4. *Calls upon* the administering Power to take into account the concerns of Saint Helenians with regard to the right to nationality;

X. Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands[17] and other relevant information,

Recalling the 2002 report of the Constitutional Modernization Review Body, which examined the existing Constitution and made recommendations on the internal structure of government and devolution of power from the appointed Governor to the elected Government, and acknowledging the new Constitution agreed between the administering Power and the territorial Government, its circulation within the Government and among the general public, and its entering into force in August 2006,

Noting the support for the new Constitution of the Territory among the participants of the Caribbean regional seminar, held in Saint George's, Grenada, from 22 to 24 May 2007,

Noting also that the new Constitution provides for a Governor, who would maintain reserved powers in the Territory, to be appointed by the administering Power,

Recalling the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government,

Acknowledging the significant and steady period of economic expansion fuelled by the continuing growth of high-end tourism,

1. *Welcomes* the new Constitution of the Territory, which took effect in August 2006, and notes the emphasis placed by the re-elected territorial Government on economic development and modernization;

2. *Also welcomes* the ongoing efforts made by the Government addressing the need for attention to be paid to the enhancement of social cohesion across the Territory;

[17] A/AC.109/2007/5.

XI. United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[18] and other relevant information,

Acknowledging with interest the upcoming Constitutional Convention, the fifth attempt to review the existing Revised Organic Act, which organizes the internal governance arrangements, as well as the various related efforts in implementing a public education programme on the Constitution, as outlined in a statement by a participant from the Territory presented to the Caribbean regional seminar, held in Saint George's, Grenada, from 22 to 24 May 2007,

1. *Requests* the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular through the upcoming internal Constitutional Convention exercise;

2. *Also requests* the administering Power to assist the Territory in facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public education programme;

3. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Welcomes* the ongoing work of the Inter-Virgin Islands Council between the elected Governments of the United States Virgin Islands and the British Virgin Islands as a mechanism for functional cooperation between the two neighbouring Territories;

5. *Notes* the position of the territorial Government supporting the ownership and control of the natural resources of the Territory, including marine resources, and its calls for the return of those marine resources to its jurisdiction.

[18] A/AC.109/2007/7.

Draft resolution IV
Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[1]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 61/129 of 14 December 2006,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[2]

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Recognizing also the role of the Department of Public Information of the Secretariat, through the United Nations information centres, in the dissemination of information at the regional level on the activities of the United Nations,

Recalling its resolution 61/129, in which it requested the Department, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, to prepare an information leaflet on assistance programmes available to the Non-Self-Governing Territories and to disseminate it widely in them,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization, in particular the preparation, in accordance with General Assembly resolution 61/129, of the information leaflet entitled "What the UN Can Do to Assist Non-Self-Governing Territories", issued in March 2007;

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[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23), chap. III.

[2] A/56/61, annex.

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories, and to this end, requests the Department of Public Information to empower the United Nations information centres in the relevant regions to disseminate material to the Non-Self-Governing Territories;

3. *Requests* the Secretary-General to further enhance the information provided on the United Nations decolonization website by including the full series of reports of the regional seminars on decolonization, the statements and scholarly papers presented at those seminars and links to the full series of reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

4. *Requests* the Department of Public Information to continue its efforts to update web-based information on the assistance programmes available to the Non-Self-Governing Territories;

5. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(a) To develop procedures to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of the Non-Self-Governing Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To explore the idea of a programme of collaboration with the decolonization focal points of territorial Governments, particularly in the Pacific and Caribbean regions, to help improve the exchange of information;

(d) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To encourage the involvement of Non-Self-Governing Territories in the dissemination of information on decolonization;

(f) To report to the Special Committee on measures taken in the implementation of the present resolution;

6. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

7. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

Draft resolution V
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 61/130 of 14 December 2006, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with interest the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Taking note that the Pacific regional seminar, originally scheduled to convene from 23 to 25 May 2006 in Timor-Leste, was held on Yanuca Island, Fiji, from 28 to 30 November 2006, and that the Caribbean regional seminar was held in Saint George's, Grenada, from 22 to 24 May 2007,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Non-Self-Governing Territories

[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23).

concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[2]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Commends* the professional, open and transparent referendum to determine the future status of Tokelau, held under United Nations supervision in February 2006, and welcomes the announcement by New Zealand and Tokelau of their intention to hold another referendum in November 2007;

7. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-third session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

[2] Resolution 217 A (III).

(d) To develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[3]

8. *Recognizes* that the plan of action for the Second International Decade for the Eradication of Colonialism,[4] represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance as needed to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use

[3] See resolution 54/91.

[4] A/56/61, annex.

of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2007,1 including the programme of work envisaged for 2008;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

25. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft decision:

Question of Gibraltar

The General Assembly, recalling its decision 61/522 of 14 December 2006 and the statements agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland in Brussels on 27 November 1984[1] and in Madrid on 27 October 2004, and noting the establishment, pursuant to the latter, of the tripartite Forum for Dialogue on Gibraltar, separate from the Brussels process, under the statement made jointly by the Governments of Spain, the United Kingdom and Gibraltar on 16 December 2004:

(a) Urges both Governments, while listening to the interests and aspirations of Gibraltar, to reach, in the spirit of the statement of 27 November 1984, a definitive solution to the question of Gibraltar, in the light of relevant resolutions of the General Assembly and applicable principles, and in the spirit of the Charter of the United Nations;

(b) Welcomes the ongoing successful implementation of the first package of measures concluded at the tripartite Forum for Dialogue on Gibraltar.

[1] A/39/732, annex.